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EXAMINER
HO, THOMAS M

ART UNIT	PAPER NUMBER
2134	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/941,877	CATO ET AL.
	Examiner	Art Unit	
	Thomas M Ho	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _29 August 2001_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-54_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-54_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _2_.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-54 are pending.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3.   Claim 2, 31, 40 contains the trademark/trade name "Bluetooth". Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe a technology which allows one wireless device to communicate with another and, accordingly, the identification/description is indefinite.

Claim 37 recites the following limitation:

g) repeating steps (f) and (g) until the user of the one wireless device is located.

This limitation is a recursively defined limitation, or a limitation that is defined in terms

of itself.

For this reason, claims 37-39 (its dependent claims) are indefinite.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1, 3-30, 32-36, 41-54 are rejected under 35 U.S.C. 103(a) as being

unpatentable over "Ebay for Dummies" and Arnold et al., US patent 5905719.

(henceforth Arnold).

In reference to claim 1:

"Ebay for Dummies" (page 29) discloses a method of using an online auction system

with an interface that uses the Internet. "Ebay for Dummies" however fails to explicitly

disclose the specific type of networking hardware it uses.

Arnold et al. discloses a method of wireless Internet access through the use of portable

computers. (Column 4, lines 4-6)

It would have been obvious to one of ordinary skill in the art to access and use Ebay from the portable computer with wireless internet access in order to take advantage of the online auction system and many services Ebay provides.

"Ebay for Dummies" and Arnold et al. discloses a method for brokering a transaction between a plurality of wireless communication devices, comprising the steps of:

a) enabling each wireless device to communicate with all other similarly enabled wireless devices, where the wireless devices are connected through the network shown in Arnold (Figure 1)

b) allowing a user to enter a request related to an object to be brokered into a first enabled wireless device, where the object to be brokered is an item user desires to sell "Ebay for Dummies" (p. 151-152), and this is entered into the portable computer of Arnold. (Figure 1, Item 2)

c) exchanging the request related to the object with a plurality of enabled wireless devices, where the request passes through the base stations and access points (a plurality of enabled wireless devices.) in Arnold (Figure 1)

d) receiving a response to the request by a third party facilitator from a user of a wireless device interested in completing the transaction, where the third party facilitator is ebay, and the user of a wireless device is the buyer of the item up for sale. "Ebay for Dummies" (pages 205-209)

e) completing the transaction by the third party facilitator, where ebay completes

the transaction by handling when the auction timer runs out. "Ebay for

Dummies" (page 174, Figure 8-6, "Ends PDT" column)

In reference to claim 3:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 1, wherein the

enabling step(a) further comprises the steps of:

A1) loading a software application into the first wireless device, where the

software application is an internet browser. "Ebay for Dummies" (page 174,

Figure 8-6, "Ends PDT" column)

In reference to claim 4:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 3, wherein the

software application instructs the first wireless device to automatically establish

communications with the plurality of enabled wireless devices. Arnold (Figure 1)

In reference to claim 5:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 4, wherein the

exchanging step (c) further comprises the step of:

C1) determining whether each one of the first plurality of enabled wireless devices would

like to receive the request, where it is evident from Arnold that while only one user is

shown (Item 2, Figure 1), there actually exists a plurality of subscribers accessing the

internet through other base stations (Column 4,lines 20-30), and where it these other

wireless internet users can access the ebay website to examine a particular auction if they

so desire by accessing www.ebay.com and going to the Item hyperlink, thereby

"determining whether each of the plurality of enabled wireless devices would like to

receive the request". "Ebay for Dummies" Pages 92-97 "Looking to find an Item?"

In reference to claim 6:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 4, further including

the step of providing the request as a transaction record for the object, wherein the

transaction record includes an item description, price information, expiration time and

date, contact information for the third party facilitator, and identifying information for the

user of the first wireless device. "Ebay for Dummies" (page 174, Figure 8-6, "Ends

PDT" column)

In reference to claim 7:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 6, wherein the third

party facilitator is coupled to an Internet, the method further including the step of

providing the contact information for the facilitator as a web address. "Ebay for

Dummies" (page 174, Figure 8-6, "Ends PDT" column)

In reference to claim 8:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 6, wherein the

exchanging step (c) further includes the steps of:

C1) transmitting the request to a first plurality of enabled wireless devices, where the

request, where the request is transmitted to each of the wireless enabled internet devices

that requests to see the item. "Ebay for Dummies" (page 104 – page 105)

C2) for each one of the plurality of enabled wireless devices receiving the request,

modifying the request before transmitting the request on to other wireless devices,

wherein the modified request conceals the identifying information of a user of the

wireless device from which the request was received, where the request is modified by

adjusting the time left in the auction for whatever time each of the wireless users receives

the request. "Ebay for Dummies" (page 105, "Time left")

C3) transmitting the modified request from each of the first plurality of enabled wireless

devices to a second plurality of enabled wireless devices, where the request may be

further modified by placing a bid, and where the request may be retransmitted back to the

to other enabled wireless devices that need the request with the request updated to show

the latest high bidder. "Ebay for Dummies" (page 105, "# of bids")

In reference to claim 9:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 8, wherein the

transmitting step (c3) further comprises the step of:

C3i) determining whether each one of the second plurality of enabled wireless devices

would like to receive the modified request, where the second plurality of wireless devices

are other bidders who want to look at the item. "Ebay for Dummies" (page 104 – page

105)

In reference to claim 10:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 8, wherein the step

of modifying the request (c2) further includes the steps of:

C2i) modifying the transaction record by changing the price information to create a profit

for the one enabled wireless device's involvement in the transaction, where the

transaction record is modified when someone places a bid, thereby changing price

information to create a profit. "Ebay for Dummies" (pages 104-105)

C2ii) encrypting the identifying information for the user of the wireless device from

which the request was received, where the identifying information is encrypted with SSL.

"Ebay for Dummies" (page 281)

C2iii) appending the modified transaction record unencrypted identifying information for

the user of the one enabled wireless device, where the transaction record is the bid

history. "Ebay for Dummies" (page 105)

In reference to claim 11:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 10, wherein the

exchanging instruction (c) further includes the steps of :

C4) repeating steps (c2) and (c3) until the user of the wireless device interested in

completing the transaction responds to the request, where the steps are repeated until the

auction time runs out. "Ebay for Dummies" (pages 124-125)

In reference to claim 12:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 12, wherein the

identifying information includes an address to a website of the user and a pointer to a

public key associated with the user in the website, where the website for the user is the

my ebay page, and the pointer is the digital certificate to a public key used in SSL. "Ebay

for Dummies" (page 281)

In reference to claim 13:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 12, wherein the

transaction completing step (e), further includes the steps of:

e1)   receiving a final transaction record from the user of the wireless device interested

in completing the transaction, wherein the final transaction record includes final price

information, the encrypted identifying information for the user of each intermediary

wireless device involved in the transaction, and the appended unencrypted identifying

information for the user of the wireless device that transmitted the final transaction record

to the wireless device interested in completing the transaction, where the final transaction

record is the bidding history "Ebay for Dummies" (page 113-114), and where ebay

encrypts identifying information through SSL "Ebay for Dummies" (page 281), and

where this information is transmitted to a user who clicks on the bidding history.

e2) decoding the encrypted identifying information for the user of each intermediary

wireless device involved in the transaction and for the user of the first wireless device,

where the identifying information is decrypting using SSL. "Ebay for Dummies" (page

281)

e3) completing the transaction between the first wireless device's user and the user of the

wireless device interested in completing the transaction "Ebay for Dummies" (page 138)

e4) distributing to the user of each intermediary wireless device involved in the

transaction and to the user of the first wireless device their appropriate shares of

transaction proceeds, where the proceeds are the payment methods. "Ebay for Dummies"

(page 115)

In reference to claim 14:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 13, wherein the

decoding step (e2) further includes the steps of:

(e2i) contacting the website of the user of the wireless device that transmitted the final

transaction record to the wireless device interesting in completing the transaction via the

appended unencrypted identifying information, where the appended unencrypted

identifying information is buyer's email address. "Ebay for Dummies" (page 138)

E2ii) requesting therefrom the unencrypted identifying information of the user of the

wireless device from which the request was received, where the seller contact

information can be requested "Ebay for Dummies" (page 139, contact information)

E2iii) repeating steps (e2i) and (e2ii) until the identifying information for the user of the

first wireless device is decoded, where the proceses should be repeated to request the

information until all the relevant contact information is revealed.

In reference to claim 15:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 13, wherein the

decoding step (e2), further includes the steps of:

(e2i) contacting the website of the user of the wireless device that transmitted the final

transaction record to the wireless device interested in completing the transaction using the

appended unencrypted identifying information. "Ebay for Dummies" (page 139)

(e2ii) accessing the associated public key via the pointer to decode encrypted identifying

information, wherein the associated public key only decodes the identifying information

for the user of the wireless device from which the request was received', "Ebay for

Dummies" (page 281-282)

(e2iii) repeating steps (e2i) and (e2ii) until the encrypted identifying

information for the user of the first wireless device is decoded. , "Ebay for Dummies"

(page 281-282)

In reference to claim 16:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 15, wherein the

completing step (e3) further includes the step of:

notifying the user of the first wireless device of the transaction via electronic mail. ,

where buyer and seller notify each other through email. "Ebay for Dummies" (pages 138-

139)

In reference to claim 17:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 16, wherein the

completing step (e3) further includes the step of:

(e3ii) notifying the user of the first wireless device of the transaction via a bulletin board

posting on a web site for the facilitator, where the bulletin board is the history. , "Ebay

for Dummies" (page 114, Figure 6-4)

In reference to claim 18:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 11, wherein the

transaction record further includes a counter for counting a number of times the

transaction record has been transmitted from the first plurality of enabled wireless

devices "Ebay for Dummies" (page 256), the method further comprising the step of:

terminating the transaction if the number of times the transaction record has been

transmitted exceeds a preset value, where the counter stops the transaction of counting

when someone continues to click reload.

In reference to claim 19:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 18, further

comprising the step of;

g) terminating the transaction if the expiration time and date has expired, where the

expiration time is the time the auction ends. "Ebay for Dummies" (p 174, ENDs PDT)

In reference to claim 20:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 1, wherein the

entering step (b) further comprises the step of :

b2) device using a desktop computer system to create the transaction record, and

transferring the transaction record to the enabled wireless, where the transaction record is

the bidding history. "Ebay for Dummies" (p. 113-134)

In reference to claim 21:

"Ebay for Dummies" and Arnold et al. disclose a system for brokering a transaction

between a plurality of wireless devices:

- A third party facilitator accessible to a user of the first wireless device and users

  of the plurality of enabled wireless devices after registration via a network, where

  the third party facilitator is ebay, and the users of the plurality of wireless devices

  are the users who can wirelessly connect to the internet. (Arnold, Figure 1)

- Wherein a request related to an object to be brokered is entered by a user into the

  first wireless device and transmitted to the plurality of enabled wireless devices;

  wherein a user of one of the plurality of wireless devices submits a response to the

  third party facilitator if the user of the one wireless device is interested in

  complete the transaction, and the third party facilitator completes the transaction

  between the user of the one wireless device and the user of the first wireless

  device, where the request related to an object to be brokered is when the user

  enters in an item to be sold on ebay. "Ebay for Dummies" (180-181), and the

  request is transmitted to a plurality of wireless devices when users click to see the

  auction, where the wireless devices are users, and the third party facilitator

  completes the transaction if one of the users is interested through bidding. "Ebay

  for Dummies" (p.138)

Claim 21 is combined with the same rationale as set forth in claim 1.

In reference to claim 22:

"Ebay for Dummies" and Arnold et al. disclose the system of claim 21 further including a

first broker device, wherein the first broker device receives the request from the first

wireless device, modifies the request, and transmits the modified request to the one

wireless device, where the modification is made with the updated time change "Ebay for

Dummies" (page 94, figure 5-3, "Ends")

In reference to claim 23:

"Ebay for Dummies" and Arnold et al. disclose the system of claim 22, wherein the first

broker device modifies the request by changing price information to create a profit for the

first broker device's involvement in the transaction, where the first broker's device is the

device that wishes the sell the item and makes the profit when the item is sold. "Ebay for

Dummies" (page 144-145)

In reference to claim 24:

"Ebay for Dummies" and Arnold et al. disclose the system of claim 23, wherein the first

broker device further modifies the request by encrypting identifying information related

to a user of the wireless device from which the request was received, and by appending to

the request the identifying information for the user of the first broker device, such that a

wireless device receiving the modified request from the first broker device is aware of the

first broker device's user's identity only, where the bidder's identity is hidden both in SSL

encryption, and in a private auction setting. "Ebay for Dummies" (page 199)

In reference to claim 25:

"Ebay for Dummies" and Arnold et al. disclose the system of claim 24, wherein the first

broker device transmits the modified request to a second broker device, wherein the

second broker device similarly modifies the modified request and transmits the twice

modified request to the one wireless device where the second broker device is yet another

bidder which wishes to buy the item and modifies the request by making a bid. "Ebay for

Dummies" (page 132, bidding war)

In reference to claim 26:

"Ebay for Dummies" and Arnold et al. disclose the system of claim 25, wherein the

identifying information includes an address for a website for a user of a wireless device

and a pointer to a public key associated with the user in the website, where the pointer to

a public key is the user's certificate in an SSL communication. "Ebay for Dummies" (p

281-282)

In reference to claim 27:

"Ebay for Dummies" and Arnold et al. disclose the system of claim 26, wherein the third

party facilitator receives the response from the user of the one wireless device, the

response including a final modified request, wherein the final modified request includes

final price information, the encrypted identifying information for the user of the first

broker device and the user of the first wireless device, and the unencrypted identifying

information for the user of the second broker device that transmitted the final modified

request to the one wireless device, where the final modified request is the final bidding

price and cost of the item and information relating to this and the payment made by the

user is encrypted with SSL. "Ebay for Dummies"   (p 281-282)

In reference to claim 28:

"Ebay for Dummies" and Arnold et al. disclose the system of claim 27, wherein the third

party facilitator decodes the encrypted identifying information for the user of the first

broker device by using the public key associated with the user of the second broker

device, where the encryption and decryption is performed through SSL. "Ebay for

Dummies" (p 281-282)

In reference to claim 29:

"Ebay for Dummies" and Arnold et al. disclose the system of claim 28, wherein the third

party facilitator decodes the encrypted identifying information for the user of the first

wireless device by using the public key associated with the user of the first broker device

and notifies the first wireless device's user of the transaction, where the public key

associated with a user is a process characteristic of SSL. "Ebay for Dummies" (p 281-

282)

In reference to claim 30:

"Ebay for Dummies" and Arnold et al. disclose the system of claim 29, wherein the third

party facilitator collects payment for the object and distributes payment to the users of the

first broker device, the second broker device and the first wireless device, where the

broker devices involved belong to ebay, and the first wireless device is the owner who

made the selling request, and where ebay distributes payment to itself and the user(SSL

credit card usage "Ebay for Dummies" (p 281-282)) and ebays payment to itself are

listing fees. "Ebay for Dummies" (p 171-172)

In reference to claim 32:

"Ebay for Dummies" and Arnold et al. disclose the system of claim 21, wherein the third

party facilitator is a server coupled to a network, where ebay is coupled to the Internet.

In reference to claim 33:

"Ebay for Dummies" and Arnold et al. disclose the system of claim 21, wherein the third

party facilitator is a server coupled to an Internet.

In reference to claim 34:

"Ebay for Dummies" and Arnold et al. disclose a method for brokering a transaction

using a plurality of wireless devices comprising the steps of:

a)   Enabling a first wireless device to automatically establish communications with a

plurality of similarly enabled wireless devices (Arnold, Figure 1)

b)   allowing a user to enter a request related to an object to be brokered into the first

wireless device, where the user may enter the item to sell , "Ebay for Dummies" (pages

181-185)

c)   transmitting the request from the first wireless device to each of the plurality of

enabled wireless devices, where the request may be transmitted to other users requesting

to see the auction, who also access the internet through the embodiment of Arnold (figure

1)

d)   responding to the request by a user of one of the plurality of enabled wireless

devices interesting in completing the transaction by submitting a response to a third party

facilitator, where the user interested in completing the transaction submits a bid to ebay. ,

"Ebay for Dummies" (pages 113-114)

e)   completing the transaction by the third party facilitator, where ebay completes the

transaction by ending the auction and notifying both parties through an email. "Ebay for

Dummies" (p 205-208)

In reference to claim 35:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 34, wherein the first

wireless device transmits the request to a first plurality of wireless devices and no users

of the first plurality of enabled wireless devices are interested in completing the

transaction, the method further including the steps of:

f) modifying the request in each one of the first plurality of enabled wireless devices,

where a request may be modified by the seller to correct something in the auction

description. "Ebay for Dummies" (page 202)

f) transmitting the modified request from each one of the first plurality of enabled

wireless devices to a second plurality of enabled wireless devices, thereby increasing

distribution exponentially, where once this correction is made to the ebay servers, the

distribution is increased exponentially with the rest of the internet now able to access the

changed auction. "Ebay for Dummies" (page 202)

In reference to claim 36:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 35, wherein the

modifying step (f) further includes the steps of :

(f1) changing price information to create a profit for the one device's involvement in the

transaction, where the price information may be changed in a bid. "Ebay for Dummies"

(pages 113-114)

(f2) encrypting data that identifies a user of the wireless device from which the request

was received, thereby protecting the one device's profit in the transaction, where the data

is encrypted using SSL "Ebay for Dummies" (p. 281-282)

(f3) appending unencrypted identifying information for a user of the one device; wherein

by encrypting the data and appending the unencrypted identifying information, the

second plurality of wireless devices is aware only of the one device's user' s identity,

where encryption to hide the identifying information such as credit card info is done

through SSL. "Ebay for Dummies" (p. 281-282), and the one device user's identity that

is known is the original sellers.

In reference to claim 41:

"Ebay for Dummies" and Arnold et al. discloses a method for facilitating a brokered

transaction between a plurality of wireless communication devices, wherein the brokered

transaction involves a seller device and a buyer device, the method comprising the steps

of:

a) providing a plurality of broker devices to disseminate an offer for sale of an item

propagated by a user of the seller device, where the plurality of broker devices is the

server network that ebay is located on. (Arnold, Figure 1)

b) receiving in a facilitator a response from a user of the buyer device to the offer for

sale, the response including a final transaction record, wherein the final transaction record

includes encrypted identifying information for all but one users of the plurality of broker

devices, encrypted identifying information for the user of the seller device, and

unencrypted identifying information for a user of one broker device, where the final

transaction record includes the final price, and the buyer pays with credit card

information, which includes identifying information of both him/herself and the seller

device, and this communication is encrypted through SSL. "Ebay for Dummies" (p. 281-

282)

c) decoding the encrypted identifying information for the all but one users of the plurality

of broker devices and for the user of the seller device, where the encrypted identifying

information is encrypted with SSL. "Ebay for Dummies" (p. 281-282)

d) completing the transaction between the user of the plurality of broker devices, the

seller device, and the buyer device, where ebay completes the transaction by ending the

auction and notifying both parties through an email. "Ebay for Dummies" (p 205-208)

Claim 41 is combined with the same rationale as set forth in claim 1.

In reference to claim 42:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 41, wherein

identifying information includes a pointer to a public key associated with a user of a

device in a website for the user, the decoding step further comprising the steps of:

(c1)   identifying the user of the one broker device; "Ebay for Dummies" (p 141-144)

c2)   accessing the associated public key to decode the encrypted identifying

information for the user of one other of the broker devices, where the public key must be

accessed for SSL. "Ebay for Dummies" (p. 281-282)

c3)   repeating step (c2) until all the broker devices' users have been

identified and the seller device's user has been identified. "Ebay for Dummies" (p 141-

144)

In reference to claim 43:

"Ebay for Dummies" and Arnold et al. disclose the method of claim 42, wherein the

completing step (d) further includes the steps of:

d1) notifying the user of the seller device of the transaction via electronic mail and via a

bulletin board posting on a web site dedicated to the facilitator; "Ebay for Dummies" (p

141-144)

d2) collecting payment for the item; "Ebay for Dummies" (pages 144-145)

d3) distributing payment to the users of the plurality of broker devices and

the seller device. "Ebay for Dummies" (pages 144-145) & (p. 60)

Claim 44 is substantially similar to claim 1 and is rejected for the same reasons.

Claim 45 is substantially similar to claim 3 and is rejected for the same reasons.

Claim 46 is substantially similar to claim 6 and is rejected for the same reasons.

Claim 47 is substantially similar to claim 8 and is rejected for the same reasons.

Claim 48 is substantially similar to claim 10 and is rejected for the same reasons.

Claim 49 is substantially similar to claim 11 and is rejected for the same reasons.

Claim 50 is substantially similar to claim 13 and is rejected for the same reasons.

Claim 51 is substantially similar to claim 14 and is rejected for the same reasons.

Claim 52 is substantially similar to claim 15 and is rejected for the same reasons.

Claim 53 is substantially similar to claim 18 and is rejected for the same reasons.

Claim 54 is substantially similar to claim 19 and is rejected for the same reasons.

Conclusion

7.   Any inquiry concerning this communication from the examiner should be directed

to Thomas M Ho whose telephone number is (571)272-3835. The examiner can normally

be reached on M-F from 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Gregory A. Morse can be reached on (571)272-3838.

The Examiner may also be reached through email through Thomas.Ho6@uspto.gov

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (571)272-2100.

General Information/Receptionist   Telephone: 571-272-2100   Fax: 703-872-9306

Customer Service Representative   Telephone: 571-272-2100   Fax: 703-872-9306

TMH

February 27th, 2005

GREGORY MORSE
SUPERVISORY PATENT EXAMINER
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